IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE SEVENTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 25215 of 2000**

Between:

1 Edulakanti Ratnaiah, S/o Mallaiah,
Schedule Caste, R/o Sanjeevaiah Nagar, Sircilla, M.R.Sicilla,

Karimnagar District.
2 Mogili Kailasam, S/o Pochaiah,
Schedule Tribe, R/o H.No.8-1-6,
Sai Nagar, Sircilla, M.R.Sircilla, Karimnagar District.

**... PETITIONERS**

AND

1 The Municipal Council, Rep. by its Commissioner
Sircilla, Karimnagar District.
2 The Municipal Commissioner,
Sircilla, M.R.Sircilla,
Karimnagar District.
3 Kotagiri Venkat Laxmaiah, S/o Yellaiah,
R/o H.No.4-2-53, Shivalayam Veedhi, Sircilla,
M.R.Sircilla, Karimnagar District - 505 301
4 Vangari Srishailam, S/o Ramalingam,
R/o H.No.5-7-48/2/A, Gandhi Nagar,
Sircilla, Karimnagar District 505 301
5 Gunda Vaikuntam, S/o Narayana,
R/o HoNo. 8-2-7/9, Venkatampet, Street, Sircilla,
Karimnagar District - 505 301
6 Boddula Devadas, S/o Buchaiah,
R/o H.No.6-4-88/A, Nehru Nagar,
Sircilla, Karimnagar District.
7 Gujja Srihari, S/o Poshetti,
R/o Ananthanagar, Sircilla,
Karimnagar District.

8 Pent Narayana, S/o Laxmirajam,
R/o HoNo.8-2-82/1, Gopal Nagar,
Sircilla, Karimnagar District.
9 Uppala Vithal, S/o Shivarajam,
Opp: Town Club, Sircilla,
Karimnagar Distirct.
10 Nagishetti Narsaiah, S/o Nagaiah,
R/o Tangallpalli, M.R.Sircilla,
Karimnagar District.
11 Nakka Chandrakanth, S/o Nagaiah,
R/o Subhashnagar, Sircilla,
M.R.Sircilla, Karimnagar District.
12 Yada Srihari, S/o Ramaiah,
R/o H.No.4-2-49, Venkateshwara Temple Road,
Sircilla, Karimnagar District.
13 Nethi Ratnam, S/o Ramanaiah,
R/o H.No.4-3-119, Markendya Street,
Sircilla, Karimnagar District.
14 Cheekoti Balaiah, S/o Sambaiah,
R/o H.No.4-2-55, Shivalayam Veedi,
Sircilla, Karimnagar District.
15 Donthula Veeresham, S/o Narayana,
R/o Subhash Nagar, Sircilla,
Karimangar Distirct.
16 Donthula Narsaiah, S/o Ramalingam,
R/o Ananthanagar, Sircilla,
Karimnagar District.
17 Badam Srinivas, S/o Sathaiah,
R/o H.No.2-1-37, Reddiwada,
Siucilla, Karimnagar District.
18 Rachakonda Bhaskar, S/o Shankaraiah,
R/o H.No.5-4-14, Subhashnagar,
Sircilla, Karimnagar District.
19 Narmamula Sriram, S/o Chandraiah,
R/o Markendeya Street, Sircilla,
Karimnagar Distric.
20 Bondugula Rajashekar, S/o Narayana,
R/o Opp: Laxmi Talkies, Sircilla,
Karimnagar Distict.
21 Bonddu Satyanarayana, S/o Rajaiah,
R/o H.No. 8-5-61/4, Pragathinagar, Sircilla,
Karimnagar.
22 Jonnala Ramesh, S/o Vaikuntam,
R/o H.No.5-7-48/1, Gandhinagar,
Sircilla, Karimnagar Distirct.
23 Dyavanpalli Venkatesham, S/o Gangaram,
R/o H.No.6-1-59/3, Nehrunagar,
Sircilla, Karimnagar District.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly a Writ of Mandamus declaring the

action of the respondents No.1&2 in not following rule of reservation by roaster system as provided in G.O.Ms.No.568, M.A. dt.25.9.1989 and G.O.Ms.No.433 M.A Dt. 16.7.99 issuing public auction notice in A1/108/95-2000 dt.11.9.2000 and conduct of auction of shops A1 to A1, B1 to B7, B-14 and B-15 in market area, sircilla as illegal, arbitrary and colorable exercise of Power and violative of Sec.43 of A.P. Municipalities and Rule 7 of the Rules relating to receipt and expenditure of Municipal Council Rules 1968 and consequently direct the respondents to follow the rule of reservation by roaster system and to issue notice of Public auction afresh to the shops A1 to A15 and B15, Market area, Sircilla, Karimnagar, belonging to 1st respondent.

**Counsel for the Petitioners: MR.P.V.NARAYANA RAO**

**Counsel for Respondents 1 and 2: MR.POLISETTI RADHAKRISHNA**

**Counsel for Respondents 3 to 23: None appears**

The Court made the following:

## **ORDER:**

It is represented by the learned counsel for the petitioners that the subject matter in this writ petition has become infructuous.

Recording the same, the writ petition is dismissed as having become infructuous. No costs.

_____

**N.V. RAMANA, J**

June 17, 2005

**MRR**

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

**Copy to. –**

1 *The Municipal Council, Rep. by its Commissioner*
*Sircilla, Karimnagar District.*
2 *The Municipal Commissioner,*
*Sircilla, M.R.Sircilla,*
*Karimnagar District.*

Two C.D. Copies.